Gmail [redacted]

RE: I accidentally sent before the email was finished earlier - here is a letter I am sending to DCBS/CHFS today that is applicable and some other supporting documentation

1 message

Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> Wed, Nov 13, 2024 at 11:26 AM
[redacted]
Cc: "Toews, James (HHS/OCR) (CTR)" <James.Toews@hhs.gov>

Hello,

Your OCR Transaction number is 24-585169. We will accept any documentation you feel is pertinent, and I will update you on your case. Can you also include James Toews on all emails moving forward? He is cc'd on this email and is the subject matter expert that is part of the team that is reviewing your complaint.

Currently, we are still in the process of reviewing your complaint and will be holding internal meetings when schedules with our team align.

Best,

Avni Jagarlapudi

From: John Fouts [redacted]
Sent: Monday, November 11, 2024 12:22 PM
To: Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov>
Subject: I accidentally sent before the email was finished earlier - here is a letter I am sending to DCBS/CHFS today that is applicable and some other supporting documentation

If you can give me a case number and status of the case that OCR has opened for me, that would be great. Thank you Avni.

Oh - I am also sending this to 4 federal congressional committees....

--

[redacted]

Gmail [redacted]

RE: Termination of Representation, Request for Hearing Records, and Formal Notice of Intent to Pursue Federal Legal Remedies -- John R. Fouts -- 2024-11-22

1 message

Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> Mon, Nov 25, 2024 at 3:10 PM
To: John Fouts [redacted] "Toews, James (HHS/OCR) (CTR)" <James.Toews@hhs.gov>

Hello Mr. Fouts,

The update on your case is that we had an internal meeting today, and we will be reviewing your most recent submitted documentation. It may seem like status quo, but our team is discussing your case to strategize options on how to resolve your complaint.

Regarding forwarding a message on your behalf to the upcoming administration, OCR is prohibited from discussing ongoing investigations to unauthorized individuals including public figures like President-elect Donald Trump or Vice-President elect J.D. Vance. This violates the Privacy Act and various agency policies.

As far as expediting, the only option was the Expedited Complaint Resolution process that I informed you of in a previous email. However, you declined that option and wished for a full investigation instead. Thanks for your patience and understanding.

Best,

Avni Jagarlapudi

From: John Fouts [redacted]
Sent: Friday, November 22, 2024 10:36 AM
To: Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov>; Toews, James (HHS/OCR) (CTR) <James.Toews@hhs.gov>
Subject: Fwd: Termination of Representation, Request for Hearing Records, and Formal Notice of Intent to Pursue Federal Legal Remedies -- John R. Fouts -- 2024-11-22

Hi Avni and James.

Thank you for working through my case. I appreciate it and am grateful.

2024-11-19-[redacted]-End-Of-Day-Questions-Lisa-Did-Not-Respond-Yet-To-Additional-Que...

2024-11-20-Med-Impact-Related-Files-Plus-Illegal-Cap-Of-Medical-Expense-Deductions-And-Kentucky-B...

Please find attached a communication detailing issues I am still battling with most entities involved in the state of Kentucky, unfortunately.

I am not getting any resolution anywhere and I am being harmed physically, mentally, and financially and emotionally and spiritually. My function is being affected greatly due to the issues I have been facing with Ke

2024-11-20-Med-Impact-Related-Files-Plus-Illegal-Cap-Of-Medical-Expense-Deductions-And-Kentucky-B...

ntucky relentlessly and aggressively continuing to violate multiple federal laws in ways that not only define civil infractions and policies and penalties but also criminal conduct.

I plan to open a federal case in federal district court to deal with the extreme abuse of power (color of law under the guise of state authority) and harm being caused by denying goods, services, etc...everything listed in the letter. I will also forward you the other latest Lisa Hinkle correspondence.

May I please request an update on my case with OCR? Olmstead violations are also noted in the letter by the way...

I need the update from you so I can include it in the Federal Western District Court of Kentucky case filing please.

I'd also like to know if you could get a message from me to any of the incoming administration members directly please. Specifically, President-Elect Donald Trump, Vice President-Elect JD Vance, soon to be Secretary of HHS, RFK Jr., Tulsi Gabbard, Elon Musk and Vivek Ramaswamy.

I am being harmed and I need the violations of law to stop so I can get appropriate treatment and stop further progressive decline and permanent changes to health that are negative. Is there a way to expedite my case due to the nature of the circumstances...please?

Thank you again for your assistance. Avni, I cannot remember how to say your last name - can you give me a pronunciation guide please? James, I am also unsure of how you say your last name. I am sure you all told me but I have trouble remembering things.

I appreciate the work you are doing in this investigation that is formal at the federal level. I know that you are likely uncovering a wealth of wrongdoing.

---------- Forwarded message ---------
From: **John Fouts** [redacted]
Date: Fri, Nov 22, 2024 at 11:17 AM
Subject: Fwd: Termination of Representation, Request for Hearing Records, and Formal Notice of Intent to Pursue Federal Legal Remedies -- John R. Fouts -- 2024-11-22
To: Commonwealth Office of Ombudsman <kyombud@ky.gov>, CHFS Listens <CHFS.Listens@ky.gov>, Office of Governor Beshear <governor.constituentservices@ky.gov>, <govoffice@ky.gov>, Elliott, Amanda (CHFS DMS DPO) <amanda.elliott@ky.gov>, Ritchey, Amanda (CHFS DMS DPO) <Amanda.Ritchey@ky.gov>, Mitchell, Stephanie (CHFS DMS DPQO) <smitchell@ky.gov>, <dmsweb@ky.gov>, Sams, Ivy (CHFS DMS DPO) <ivy.sams@ky.gov>, <cmsombudsman@cms.hhs.gov>, Kentucky HBE Contact Center <kentuckyhix2@mailfg.custhelp.com>, Medicaid Waiver Help Desk - KY <1915cwaiverhelpdesk@ky.gov>, <ltcombudsman@ky.gov>

I

Please find attached a letter detailing significant issues and concerns regarding Medicaid discrimination, denial of care, and systemic failures. Your attention and prompt action on these matters are greatly appreciated.

---------- Forwarded message ---------
From: **John Fouts** [redacted]
Date: Fri, Nov 22, 2024 at 10:30 AM
Subject: Termination of Representation, Request for Hearing Records, and Formal Notice of Intent to Pursue Federal Legal Remedies -- John R. Fouts -- 2024-11-22
To: [redacted]
Cc: <kybar@kybar.org>, <barcounsel@kybar.org>

Please see the attached letter.

[redacted]

Gmail John Fouts [redacted]

RE: Touching Base To See Where You Are With Everything Please - OCR -- 2024-10-15

1 message

Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> Wed, Oct 16, 2024 at 4:15 PM
To: John Fouts [redacted]

Hello,

My supervisor's name is Mordecai Simha, and he is expected to return on October 28. As far as our investigation process timeline, it can take anywhere from 3 to 6 months for an investigation, depending on the complexity of the issues. The more complex the issues, the more time it takes to request/get/review data requests, consult with experts, conduct interviews, and then come up with findings. There are also other factors such as communication and availability of other covered entities like representatives at the KY Department of Health. I hope this gives you some insight.

-Avni Jagarlapudi

From: John Fouts [redacted]
Sent: Tuesday, October 15, 2024 7:02 PM
To: Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov>
Subject: Re: Touching Base To See Where You Are With Everything Please - OCR -- 2024-10-15

Avni,

Thank you for the update. How long is the supervisor on leave? A while does not really give me any information. Also, what did you say the time frame was for you all to review, investigate, and determine appropriate course of action? And what is the supervisor's name? I am looking at pressing civil and criminal charges regarding many things that have transpired (with lots of documentary evidence) per the behavior of multiple entities and how I have been treated, and harmed, and the answers to my questions are important, and require answers that are not indefinite in nature (as in the length of time your supervisor is on leave for instance).

I hope you are able to get back to me with these answers as quickly as possible. Thank you.

John R. Fouts

On Tue, Oct 15, 2024 at 7:31 PM Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> wrote:

Hello Mr. Fouts,

Thanks for reaching out. We are in the process of reviewing the submitted documents. After the review, the next step will be to coordinate an internal meeting with the supervisor to discuss an investigative plan. Our supervisor, however, is on leave for a while. So, thanks for your patience. If we need any additional documentation or clarification on things, we will email you. Thanks for asking and have a great evening.

-Avni Jagarlapudi

From: John Fouts [redacted]
Sent: Tuesday, October 15, 2024 11:42 AM
To: Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov>
Subject: Touching Base To See Where You Are With Everything Please - OCR -- 2024-10-15

Please let me know.

John R. Fouts

[redacted]

[redacted]

Gmail John Fouts <fouts.john@gmail.com>

RE: Touching Base To See Where You Are With Everything Please - OCR -- 2024-10-15

1 message

Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> Fri, Oct 18, 2024 at 11:22 AM
To: John Fouts [redacted]

Hello,

An acceptance letter can be issued, but it will not include a specific timeline for an investigation, and it requires my supervisor's signature. As you know, he is on leave so, it will take a while for that letter to be mailed to you (I can't give you a specific timeline on this, but it could be around a month from now, give or take). Let me know if you would like to proceed with the acceptance letter or whether the email I sent to you is sufficient. Thank you.

-Avni Jagarlapudi

From: John Fouts [redacted]
Sent: Thursday, October 17, 2024 12:01 PM
To: Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov>
Subject: Re: Touching Base To See Where You Are With Everything Please - OCR -- 2024-10-15

Thank you - yes this is helpful to know - is there a formal document, in writing, from OCR, that you can provide me with stating this information please?

On Wed, Oct 16, 2024 at 4:15 PM Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> wrote:

> Hello,
>
> My supervisor's name is Mordecai Simha, and he is expected to return on October 28. As far as our investigation process timeline, it can take anywhere from 3 to 6 months for an investigation, depending on the complexity of the issues. The more complex the issues, the more time it takes to request/get/review data requests, consult with experts, conduct interviews, and then come up with findings. There are also other factors such as communication and availability of other covered entities like representatives at the KY Department of Health. I hope this gives you some insight.
>
> -Avni Jagarlapudi

From: John Fouts [redacted]
Sent: Tuesday, October 15, 2024 7:02 PM
To: Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov>
Subject: Re: Touching Base To See Where You Are With Everything Please - OCR -- 2024-10-15

Avni,

Thank you for the update. How long is the supervisor on leave? A while does not really give me any information. Also, what did you say the time frame was for you all to review, investigate, and determine appropriate course of action? And what is the supervisor's name? I am looking at pressing civil and criminal charges regarding many things that have transpired (with lots of documentary evidence) per the behavior of multiple entities and how I have been treated, and harmed, and the answers to my questions are important, and require answers that are not indefinite in nature (as in the length of time your supervisor is on leave for instance).

I hope you are able to get back to me with these answers as quickly as possible. Thank you.

John R. Fouts

On Tue, Oct 15, 2024 at 7:31 PM Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> wrote:

> Hello Mr. Fouts,
>
> Thanks for reaching out. We are in the process of reviewing the submitted documents. After the review, the next step will be to coordinate an internal meeting with the supervisor to discuss an investigative plan. Our supervisor, however, is on leave for a while. So, thanks for your patience. If we need any additional documentation or clarification on things, we will email you. Thanks for asking and have a great evening.
>
> -Avni Jagarlapudi
>
> ---
>
> **From:** John Fouts [redacted]
> **Sent:** Tuesday, October 15, 2024 11:42 AM
> **To:** Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov>
> **Subject:** Touching Base To See Where You Are With Everything Please - OCR -- 2024-10-15
>
> Please let me know.
>
> John R. Fouts

Gmail John Fouts [redacted]

complaint status

1 message

Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> Thu, Oct 31, 2024 at 11:33 AM
To: John Fouts [redacted]

Hello Mr. Fouts,

Your acceptance letter is in the process of being reviewed, but I want to let you know about our Early Resolution Process. OCR offers a process called Early Complaint Resolution (ECR). The goal of ECR is to quickly resolve your concerns raised by facilitating a discussion between the parties subject to the complaint. In the ECR process, OCR is a neutral party and not a decision maker. We just facilitate communication between all parties to come to an acceptable resolution.

OCR believes your allegations are appropriate for attempting to resolve this complaint through ECR. Please let me know if you agree to participate in the ECR process by replying to this email. All that is needed is a simple confirmation of yes or no. If you choose not to participate in the ECR process, OCR will resume its full investigation. Let me know at your earliest convenience. Thanks.

Avni V. Jagarlapudi
Olmstead and Community Integration Enforcement Analyst
Office of Civil Rights | Strategic Planning Division
U.S. Department of Health and Human Services
Email: avni.jagarlapudi@hhs.gov

[redacted] [redacted]

Gmail John Fouts [redacted]

Re: Follow-up to OCR meeting regarding HCBS Waiver services in Kentucky

1 message

John Fouts [redacted] Thu, Oct 3, 2024 at 6:54 PM
To: "Jagarlapudi, Avni (OS/OMHA)" <Avni.Jagarlapudi@hhs.gov>

On Wed, Oct 2, 2024 at 8:58 PM Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> wrote:

Hello Mr. Fouts,

Thank you for meeting with us on October 2, 2024, and giving us more information about your complaint. As discussed at the meeting, below is a list of documents we require to investigate your case and determine jurisdiction. Please keep in mind that this list is not exclusive, and we may request additional documentation at a later time. You can forward the documentation via email at your earliest convenience. Thank you for your patience and valuable time.

1. Medicaid eligibility statement

Eligibility statement from SSA/SSI for benefits

1. HCBS waiver services documentation from providers such as Access home care and Marion House
2. Any assessments from the state of KY for waiver services
3. Denial letters from the Kentucky Dept. of Human services for requested waiver services
4. Housing voucher documentation

Avni V. Jagarlapudi
Olmstead and Community Integration Enforcement Analyst
Office of Civil Rights | Strategic Planning Division
U.S. Department of Health and Human Services
Email: avni.jagarlapudi@hhs.gov

[redacted]

Gmail John Fouts [redacted]

RE: Touching Base To See Where You Are With Everything Please - OCR -- 2024-10-15

1 message

Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> Tue, Oct 15, 2024 at 7:31 PM
To: John Fouts [redacted]

Hello Mr. Fouts,

Thanks for reaching out. We are in the process of reviewing the submitted documents. After the review, the next step will be to coordinate an internal meeting with the supervisor to discuss an investigative plan. Our supervisor, however, is on leave for a while. So, thanks for your patience. If we need any additional documentation or clarification on things, we will email you. Thanks for asking and have a great evening.

-Avni Jagarlapudi

From: John Fouts [redacted]
Sent: Tuesday, October 15, 2024 11:42 AM
To: Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov>
Subject: Touching Base To See Where You Are With Everything Please - OCR -- 2024-10-15

Please let me know.

John R. Fouts

[redacted]

Gmail John Fouts [redacted]

OCR complaint Medicaid Home and Community Based Waiver services

1 message

Jagarlapudi, Avni (OS/OMHA) <Avni.Jagarlapudi@hhs.gov> Fri, Sep 13, 2024 at 12:50 PM
To: "Fouts.John@gmail.com" [redacted]

Hello Mr. Fouts,

I am Avni Jagarlapudi with the Office of Civil Rights (OCR), and I received your complaint over Medicaid HCBS Waiver services.

In order to proceed with your complaint's investigation process, a signed OCR consent form is required. At your earliest convenience, please sign and date the attached OCR Consent Form. Then please either print, scan, or take photos of the form and send it back to my email. Do not hesitate to contact me if you have any questions. Thank you.

Avni V. Jagarlapudi
Olmstead and Community Integration Enforcement Analyst
Office of Civil Rights | Strategic Planning Division
U.S. Department of Health and Human Services
Email: avni.jagarlapudi@hhs.gov

Complainant Consent Form.pdf
511K